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Land adjoining Odd Down, Bath

Land Allocation Report

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Executive Summary

This Report has been produced in order to inform the site allocation process for the Bath and North East Somerset emerging Core Strategy.

Based upon an evaluation of existing evidence and new assessment work, the Report adopts a two stage methodology which identifies the most suitable and appropriate location for the "around 300 dwellings plus employment" allocation at Odd Down and then subsequently defines the appropriate consequential changes to the Green Belt boundary needed to accommodate the development. Independent, topic-specific assessments have been undertaken which are appended to this Report and which have heavily informed the output.

Having considered in depth the full range of options available within the Odd Down plateau area, the area of land identified as the most suitable and appropriate for allocation within the Core Strategy comprises the four fields (including the existing farm buildings and offices) immediately to the east of Sulis Manor and the Sulis Meadows development. These fields:

- are the least sensitive in respect of landscape and visual impact;
- have a low impact upon heritage assets including their settings within the locality and will facilitate enhancement of the Wansdyke SAM;
- are well related to the urban area and have clear physical boundaries;
- have the least impact on ecological considerations;
- are accessible via a new junction from Midford Road/South Stoke Lane;
- link logically with the existing employment provision, reducing employment traffic in South Stoke Lane;
- provide integrated pedestrian linkages with the surrounding area including schools and supermarket and provide opportunities to enhance Green Infrastructure;
- are not within an area at risk of flooding and drain effective, thus enabling the incorporation of SUDS;



- are not constrained by the availability of infrastructure or utilities;
- do not have any constraints in respect of ground conditions or land stability; and
- are deliverable immediately and without technical, environmental, ownership or legal constraints.

The second stage of the Report establishes the corresponding changes required to the Green Belt in order to accommodate the proposed allocation. A new boundary to the Green Belt is proposed which excludes all of the land required for the development and follows clearly defined and defensible physical features as required by the NPPF.

Overall the land identified in this Report is considered to be the most suitable, available and deliverable area within the land at Odd Down. The allocation and corresponding change to the Green Belt are therefore strongly recommended for inclusion within the emerging changes to the Core Strategy.

1. Introduction

This Report has been prepared by Savills on behalf of the Hignett Family Trust (HFT). Savills has been appointed to review the evidence available from Bath and North East Somerset Council (B&NES) and independent assessments commissioned by HFT and to recommend a logical and justified boundary for an allocation of around 300 dwellings together with local employment on land adjoining Odd Down.

The assessment has been produced without prejudice to the continued promotion by HFT of a larger urban extension. Indeed, HFT consider development across a wider area is both suitable and achievable. We agree with this conclusion based upon our assessment of the available evidence, however, the specific purpose and scope of this Report is to establish a boundary for 300 dwellings. We have therefore limited the assessment and conclusions to the 300 dwelling proposed scheme and explained how this relates to the associated changes to the Green Belt boundary.

Background

On 4 March 2013 B&NES Council approved the identification of a 300 dwelling urban extension at Odd Down. This endorsed the identification of a broad location for development in the Core Strategy, following which the Council had intended to define the specific boundaries through a Placemaking Plan.

Subsequently the Council has advised the Core Strategy Inspector that it wishes to define the boundaries for the urban extensions (including the land at Odd Down) through the Core Strategy as opposed to a Placemaking Plan.

In Inspector Note ID/40 the Core Strategy Inspector has advised the Council on the approach to the inclusion of site allocations instead of broad locations for development in the Green Belt. Paragraph 21 of the Inspector's Note is particularly relevant. This has set the context for the subsequent correspondence between the Council and the HFT and this Report. Paragraph 21 states:

If the Council is considering delaying the hearings to put forward allocations, the Council must give itself time to do this thoroughly and with careful explanation of the reasons for its choice of boundaries and policy requirements. Matters that would need to be addressed include (but are not limited to):

- *which of the Green Belt locations should be taken forward in this way. The same approach may not be appropriate for all the locations. The choice should take into account the availability of the necessary evidence and the likely timescale for delivery. With regard to the latter, the Council may wish to explore with landowners/developers the scope for closer alignment of the Council's and landowners/developers intentions.*
- *clear, justified site boundaries for the allocation, as well as consequential changes such as the Green Belt boundary; there would need to be proper consideration of the scope for any safeguarded land when changing the boundary.*
- *policies which set out expected outcomes/requirements from the development rather than a list of factors to be assessed and explored in further work. If there is a need for further detail, such as through a masterplan and/or SPD, this should also be made clear.*
- *the further work related to allocations/earlier delivery may also need to address whether any existing uses need to be relocated, whether there are sites available for such uses and the impact of such relocation.*

Following the publication of ID/40 the Council contacted each of the landowners / developers, including the HFT. There followed a meeting between the Council and the HFT at which the reasons for and the likely process for allocation were discussed along with the scope of evidence required to assist in that process. Correspondence between the Council and the HFT (see **Appendix 1**) confirms in writing the understanding of the evidence required to address the provisions of ID/40.

The scope of this Report is based upon the advice of the Inspector in ID/40 and the subsequent correspondence with the Council. It addresses each of the planning considerations identified in the emerging Policy B3A (Land adjoining Odd Down) in order to organise the assessment and ensure all of the considerations identified by the Council have informed the proposed allocation.

Appended to the Report are technical studies which provide the evidential basis for the conclusions we have drawn and the definition of the appropriate location for the urban extension. The principal evidence produced by the HFT which has informed this Study is as follows:

- Heritage Asset Assessment by CgMs Consulting (**Appendix 2**);
- Landscape Assessment and Strategy by the Cooper Partnership (**Appendix 3**);

- Ecological Assessment by Kestrel Wildlife Consultants Ltd (**Appendix 4**); and
- Preliminary Capacity Assessment of Access Junctions by Peter Finlayson Associates (**Appendix 5**).

There is a considerable amount of evidence available which supports the location of the proposed allocation. Once the allocation has been confirmed through the policy, it is not therefore considered necessary for the policy to require any further research or master planning relating to the site. Instead, the allocation policy for Odd Down should set out the factors relating to the submission of a subsequent planning application, which will be used in the development management process, but should not require the production of further assessments or an SPD etc. We have not suggested policy criteria within this Report, however, we would be willing to work with the Council to establish the appropriate policy wording as and when required.

In accordance with the Inspector's second bullet point of paragraph 21 in note ID/40, this Report also assesses the required consequential changes to the Green Belt boundary. There is no requirement for the boundary to correspond with the proposed allocation and, as highlighted by the Inspector, proper consideration needs also to be given to the potential for safeguarding land for future growth beyond the plan period. Further details are provided in the following section.

2. Methodology

The definition of the proposed allocation requires a two-stage approach to the assessment. The first stage involves a careful and critical evaluation of the evidence produced by both the Council and the HFT followed by a balanced judgement of the opportunities and constraints, in order to identify the area which is considered to be the most suitable for allocation in the Core Strategy. In addition, the assessment includes key judgements over deliverability of the allocation and the delivery timetable. A full explanation of the reasoning and justification is provided, which substantiates our conclusions.

The second stage is to consider the appropriate approach to the redefinition of the Green Belt boundary. The current boundary of the Green Belt abuts the urban area and hence in order to accommodate the proposed urban extension it will be necessary to revise the boundary.

The boundary of the allocation and proposed change to the Green Belt are not necessarily coterminous. In order to comply with the NPPF, our proposed re-definition of the Green Belt boundary is not limited by the extent of the proposed allocation. The reasons for this are provided in the following section.

In addition to the above, as requested by the Inspector, it is necessary for the Council to give proper consideration to the scope for 'safeguarded land'. We strongly believe that the Council should take a positive and proactive approach to changing the Green Belt boundary and consider the inclusion of 'safeguarded land' where it is appropriate to do so. It is important to note however that this Report does not address potential for wider changes to the Green Belt or consider the potential for safeguarded land. Instead it focuses solely on the location of the proposed 300 dwelling allocation and the changes to the Green Belt boundary that are necessary to accommodate the specific, identified, scale of development..

3. Stage One – Proposed Land Allocation

This section of the Report contains an assessment of the key planning considerations and requirements of Policy B3A for a 300 dwelling urban extension . It contains a review of the evidence base against each of the policy considerations and a further important consideration which is not included in the policy – deliverability.

Following the assessment of the key planning considerations the Report reviews the appropriate consequential changes to the Green Belt boundary – Stage 2 of the methodology. It then provides a firm recommendation for the proposed allocation and consequential changes to the Green Belt boundary and a summary of the reasons why this is considered to be the most appropriate location for the delivery of 300 dwellings within the land at Odd Down.

Policy B3A Planning Requirements	Response
<p>Land will be removed from the Green Belt by the Placemaking Plan in the location shown on the Key Diagram in order to provide for development of around 300 dwellings, small scale local employment opportunities and associated infrastructure during the Plan period. The Placemaking Plan will allocate the site for development and define a revised detailed Green Belt boundary.</p>	<p>The scale of the development proposed through Policy B3A and the associated infrastructure can be easily accommodated within the land owned by the HFT. Further details of the residential land are provided in response to Criterion (a).</p> <p>In respect of the small-scale local employment opportunities and associated infrastructure, these can both be incorporated into a comprehensive Masterplan for the site through the development of the planning application proposals.</p> <p>There is already a centre for small scale employment within the converted farm buildings in the southern part of the site. There are proposals to expand this area and convert additional buildings in order to deliver increased employment floorspace capable of supporting</p>

Policy B3A Planning Requirements	Response
	<p>approximately 250 jobs. This will ensure the delivery of employment in accordance with the policy in a recognised employment location.</p> <p>There is a clear logic to building upon and enhancing the existing employment provision rather than providing alternative small scale employment provision elsewhere within the allocation. This indicates that an allocation which encompasses the existing employment and the expansion area would represent a deliverable, sound and reasonable approach.</p>
<p>a) Residential led mixed use development of around 300 dwellings in the plan period including 40% affordable housing.</p>	<p>To accommodate the scale of development proposed in Policy B3A will require a net land area of approximately 12 hectares. Once open space, strategic landscaping etc is incorporated, the gross area required to accommodate 300 dwellings will increase to approximately 15 hectares. It is this scale of land which has been included in the proposed site allocation boundary. This represents a cautious estimate of the land area required due to the need to remove land from the Green Belt and provides a degree of flexibility to address masterplanning considerations as detailed proposals are developed.</p> <p>The scale of development envisaged through Policy B3A is best achieved by development to the east of Sulis Manor as there are potential environmental and deliverability constraints which may impact upon the scale of development achievable on the land to the west. This area is arguably more constrained than the land to the east of Sulis Manor and thus development of the 300 dwellings envisaged by the Policy may not therefore be achievable using land solely to the west of Sulis Manor.</p>

Policy B3A Planning Requirements	Response
	<p>Since the land to be allocated is currently in the Green Belt, it will be necessary to define new Green Belt boundaries based on clear and defensible physical features. The actual area proposed for removal from the Green Belt is therefore greater than the minimum required to deliver 300 dwellings for this reason. Further details are provided in the Stage Two assessment.</p>
<p>b) Be developed to a comprehensive Masterplan, reflecting best practice as embodied in 'By Design' (or successor guidance), ensuring that it is well integrated with neighbouring areas, including the sensitive incorporation of Sulis Manor.</p>	<p>The area of land identified has been selected, in part, because it is well related to the existing urban area and will facilitate a high quality development.</p> <p>There are opportunities to integrate the proposed development well with the neighbouring areas using existing permissive paths and rights of way. These provide pedestrian access across the site to education facilities and the Sainsbury's supermarket etc which are consequently only a short walk from the centre of the proposed development area (see Appendix 6).</p> <p>Whilst detailed masterplanning of the site has not been undertaken at this stage, the HFT are very conscious of the need for high quality design and are committed to its delivery. The area of land selected will assist the design process and enable the delivery of an attractive development which integrates well with the existing urban area.</p>
<p>c) Ensure that the principles and benefits of Green Infrastructure contained in the Green Infrastructure Strategy and other guidance and best practice are embedded in the design and development process from an</p>	<p>This requirement has informed the selection and extent of the area of land proposed for allocation through the Core Strategy and will in future also inform the detailed masterplanning process.</p> <p>All land required to deliver the 300 dwelling</p>

Policy B3A Planning Requirements	Response
<p>early stage. Key requirements include provision of habitat connectivity through the retention and enhancement of the existing high valued habitat; provision of well integrated green space (formal, natural and allotments); provision of well integrated Sustainable Urban Drainage Systems; and provision of cycle and pedestrian links through the site connecting to the existing network particularly towards Bath city centre and Odd Down and Combe Down local centres.</p>	<p>urban extension is included within the proposed allocation boundary, including the land which it is envisaged at this stage to be needed for ecological mitigation and strategic landscaping.</p> <p>See the Landscape Report at Appendix 3 for further details.</p>
<p>d) Appropriate site assessment and ecological surveys to be undertaken to inform site master planning with particular attention to potential impacts to Bradford upon-Avon bats and Mells SACs. An Ecological Mitigation Strategy and Management scheme is required to ensure satisfactory compensation, mitigation and protection of European protected bat species and their habitats (to include protection of dark skies to the south of the location, retention and cultivation of linear planting features and off-site habitat protection and compensation on land south of this location), and protection of Priority Species.</p>	<p>The Council and HFT have both undertaken ecological assessments of the site with particular focus on bats. All of the available evidence has been reviewed by Kestrel on behalf of HFT. Further details of this assessment are provided in the Report attached at Appendix 3.</p> <p>In summary, there are no over-riding ecological constraints to development on any of the land within the ownership of the HFT. With appropriate mitigation there is not therefore any reason to limit the scope of the site area on ecology grounds.</p> <p>Notwithstanding, the land to the east of Sulis Manor is less constrained than the land to the west.</p> <p>The land to the east of Sulis Manor (which falls within the preferred location for the allocation) is constrained only by the presence of Skylarks. This constraint can be overcome through the alternative management of an area of compensatory land elsewhere within the HFT</p>

Policy B3A Planning Requirements	Response
	ownership. There are therefore no ecological constraints to the proposed development area.
<p>e) Identify and assess the landscape character, landscape features and significant view points and the likely effects of development on them. Protect and enhance these aspects and mitigate to avoid or minimise the effects. Significant aspects of landscape include the Cotswold AONB; the World Heritage Site and its setting; South Stoke Conservation Area and its setting; the character of the Cam Brook valley and Sulis Manor plateau; trees including ancient woodland, tree belts, hedges and field patterns; Midford Road and South Stoke Lane and their open rural character; and tranquillity. Significant viewpoints include local properties; medium and long distance views such as Upper Twinhoe and Baggridge Hill; Wansdyke Scheduled Ancient Monument; Midford Road and Cross Keys junction; South Stoke Lane; Combe Hay Lane; and local Public Rights of Way.</p>	<p>Significant landscape assessment work has been undertaken by both the Council and the HFT. The HFT has commissioned the Cooper Partnership to review the existing evidence and advise how this should impact upon the extent of the proposed allocation.</p> <p>The Cooper Partnership has produced a Report which is attached at Appendix 3. This builds upon the existing evidence and provides an analysis of the landscape impact from the receptors identified within the Policy.</p> <p>The conclusions of the Cooper Partnership Report diverge from the study produced by Arup on behalf of the Council (April 2013) in relation to the visual prominence of the southern section of the site. The section drawing through the site in the Cooper Partnership Report demonstrates the effect of the topography both within the site and the surrounding area. The land falls away steeply to the south beyond the planted tree belt. The combination of topography and the tree belt reduces the visibility of the site from the south to such an extent that the development of 300 dwellings in the proposed allocation would not be visible from any of the receptors identified in the policy to the south of the site. As the impact is considered to be negligible, it is therefore proposed to extend the area of the allocation to the south of the visual threshold identified by Arup (on the Constraints and Opportunities plan on page 23).</p> <p>The southern parcel of land to the west of Sulis Manor (identified as West 2 in the Land Use Consultants Report of September 2013) is</p>

Policy B3A Planning Requirements	Response
	<p>however acknowledged as being more sensitive. The topography in this location and to the south and west does not offer the same degree of mitigation and hence this area is acknowledged as being more visually prominent than the other areas identified as being of high risk to the setting of the World Heritage Site.</p> <p>The Council in its assessment of the 'WHS Setting and AONB Landscape and Visual Impact Assessment for Land Adjoining Odd Down' has afforded little weight to the planted tree belts as mitigation of the visual impact. It is suggested that the Oak and Ash species are particularly vulnerable to disease and cannot therefore provide a reliable visual barrier between the proposed development and the visual receptors. Whilst it is acknowledged that the species are more vulnerable (albeit that there are no oak trees within the tree belt) than others to disease, to dismiss the adequacy of the tree belt in its entirety is inaccurate and unreasonable.</p> <p>Not only does the existing tree belt include other species but should planning permission be granted, additional strategic landscaping could be incorporated within the tree belt. This would supplement the existing vegetation and act as a significant further visual barrier should any of the existing trees fall to disease.</p> <p>The visibility of the site from the Odd Down area to the north is limited by the topography and, as suggested in the Arup Report "<i>is relatively easy to screen with vegetation on the northern, western and eastern boundaries</i>". Furthermore, through the delivery of high quality development, coupled with appropriate strategic landscaping and the retention of key</p>

Policy B3A Planning Requirements	Response
	<p>areas of open space, the visual impact can be more than adequately mitigated. It will therefore represent an appealing and attractive addition to the urban area where there are views from the existing built up area.</p> <p>In addition to the Report produced by the Cooper Partnership, an assessment of the impact of the proposed development on heritage assets has been produced by CgMs. This assessment, which is attached at Appendix 2 provides a professionally reasoned and justified interpretation of the extent of the constraints in close proximity to the proposed site.</p> <p>The reports prepared by the Cooper Partnership and CgMs should be read in conjunction with one another to provide a full understanding of the impact of the proposed development.</p>
<p>f) Assess and evaluate any direct or indirect impacts on designated heritage assets and their visual/landscape settings. Prepare and implement management schemes (including avoidance or physical separation) in order to mitigate the impacts of development and ensure the long-term protection and enhancement of the designated heritage assets and their settings. Designated heritage assets potentially affected by development at this location include the Cross Keys Inn (Grade II), South Stoke Conservation Area including its Listed Buildings, Wansdyke</p>	<p>With appropriate mitigation it is considered that the area of land identified for 300 dwellings will have a low impact upon the setting of designated heritage assets in close proximity to the site. The policy identifies the potentially affected assets, including the Cross Keys Inn, South Stoke Conservation Area, the Wansdyke Scheduled Ancient Monument and the Bath World Heritage Site.</p> <p>The Report produced by CgMs (Appendix 2) reviews the impact of development in the context of each of these receptors. In so doing it concludes that the impact will be as follows:</p> <ul style="list-style-type: none"> • <i>Cross Keys Inn</i> <p>CgMs are less concerned about the impact of the development on the setting of the Cross Keys Inn than LUC in their September</p>

Policy B3A Planning Requirements	Response
<p>Scheduled Ancient Monument and Bath World Heritage Site.</p>	<p>2013 study. With an appropriate set back area, the development is unlikely to have a significant detrimental impact on this heritage asset.</p> <ul style="list-style-type: none"> <p><i>South Stoke Conservation Area</i></p> <p>The CgMs Report states at paragraph 4.1.3 that “the current view of the Site from the southern aspect of the conservation area’s setting is only of a largely wooded skyline, thereby maintaining the conservation area and its setting’s entirely tranquil, rural character, detached completely from the city of Bath”.</p> <p>The only potential impact on the setting of the Conservation Area relates to the highways works to Midford Road / South Stoke Lane. The mitigation measures in Table 1 of the CgMs study conclude that there must be careful treatment of this junction to maintain a sense of separation between the built up area and conservation area.</p> <p>With this mitigation, the proposed development would not have a detrimental impact on the setting of the Conservation Area.</p> <p><i>Wansdyke Scheduled Ancient Monument</i></p> <p>It is agreed between all parties that the development should be set back from the edge of the Wansdyke in order to protect it from harmful impact. CgMs have offered a view in their Report on the extent of the set back needed to protect the Wansdyke and a significantly larger area has been included on the proposed Allocation Plan in Section</p>

Policy B3A Planning Requirements	Response
	<p>5.</p> <p>It is proposed that all of this area should be included in the extent of the allocation. The scale of the set back and response to the Wansdyke can be addressed through the masterplanning process in liaison between the applicants, Council and English Heritage.</p> <ul style="list-style-type: none"> • <i>Bath World Heritage Site</i> <p>For the reasons set out in section 2.1, the land to the west of Sulis Manor is considered to have a greater impact on the setting of the WHS than the land to the east. With the inclusion of appropriate mitigation, including new planting, the Report concludes that development could take place on parts of West 1 and East 1, 2, 3 and 4 (as referenced in the LUC Report).</p>
<p>g) Assess and evaluate any impacts on non-designated heritage assets. The degree of harm to or loss of non-designated heritage assets will be balanced against the positive contribution made by the development and the extent to which harm/loss can be mitigated. Non-designated heritage assets of equal significance to designated heritage assets will be subject to the same considerations as designated historic assets. Non-designated heritage assets potentially affected by development at this location include Prehistoric activity and flint scatters, Bronze Age and</p>	<p>The CgMs Report assesses the impact of development on the heritage significance of Sulis Manor and its setting.</p> <p>Consistent with the findings of the LUC Study (September 2013), CgMs conclude that development outside of the curtilage would be a low risk of harm to the heritage asset. Development within the curtilage would have a medium risk of harm. This conclusion applies to the land both to the east and the west of the Manor.</p> <p>The CgMs Report also concludes on the potential impact on as yet unidentified heritage assets. In so doing it states that there is no reason to believe that there is any heightened risk of unidentified archaeology at this stage. Notwithstanding, this can be addressed through the planning application process and, if any</p>

Policy B3A Planning Requirements	Response
Roman occupation, and Midford Road turnpike and markers.	heritage assets are found on the site, these can be addressed accordingly.
h) The assessment and evaluation of the above designated and non-designated heritage assets should also consider their cumulative or collective “group value” and also understand the heritage assets’ relationship to other environmental considerations such as landscape, historic hedgerows, ancient woodland and ecology.	An assessment of the cumulative impacts has been made in the concluding comments of the CgMs Report. Table 1 provides a summary of the mitigation measures required to address each of the identified heritage assets. It is the intention of the HFT to address all of these considerations and proposed mitigation measures in detail through the development of the masterplan for the site.
i) Ensure good public transport provision.	<p>The whole of the land owned by the HFT is well located for public transport accessibility. The area of land proposed for allocation scores particularly highly however in this respect.</p> <p>There are existing public footpaths and permissive footpath linkages from the proposed allocation over the Wansdyke and into Odd Down (see the plan attached at Appendix 6). These link to the A3062 (Frome Road) and the bus stops adjacent to the Sainsbury’s superstore which provide services into the centre of Bath and a variety of other destinations. Showcase bus routes operate from the Cross Keys and other local stops. The Park & Ride provides regular services to the City centre as well as the Royal United Hospital.</p> <p>The proposed allocation site therefore benefits from existing good quality public transport linkages. However, further investigations will take place in order to establish whether there are opportunities to enhance public transport accessibility for the benefit of future residents.</p>
j) Junction improvements at the	An assessment of the access requirements and

Policy B3A Planning Requirements	Response
<p>B3110 Midford Rd/South Stoke Rd (Cross Keys) and A367 junctions to provide the principle vehicular accesses to the location.</p>	<p>options for the site has been undertaken by PFA on behalf of the HFT. This assessment, a copy of which is attached at Appendix 5, addresses the junction works and improvements requirement in response to the criterion (j) of the Policy.</p> <p>The Report demonstrates that a suitable and achievable access can be delivered which will provide the necessary vehicular linkages into the proposed allocation. Indeed, appropriate vehicular access arrangements can be achieved for the land both to the east and west of Sulis Manor, or both. However, for the location proposed, the route from the Cross Keys junction is clearly the most appropriate and deliverable. An alternative access through the existing Sulis Meadows development was considered and rejected on the grounds of capacity, adverse effects on existing neighbourhoods, too great a concentration of dwellings off a single access and deliverability.</p> <p>Further details are provided of the specific arrangement associated with the proposed allocation. This includes a new alignment for an initial section of South Stoke Lane, which then branches off to access the development. In addition, a second, emergency vehicular access is proposed. This will follow the route of the current vehicular access to the employment provision at the converted farm buildings. A new access to the farm buildings will be delivered through the housing allocation site thereby reducing employment related traffic on South Stoke Lane.</p> <p>The area of land proposed for the allocation does not extend to the eastern boundary of the land owned by HFT. This area is considered to be of greater sensitivity by the Council and has</p>



Policy B3A Planning Requirements	Response
	therefore being excluded from the 300 dwelling proposed allocation. Notwithstanding, the Report produced by HFT demonstrates that the proposed vehicular access from Midford Road / South Stoke Road is the most suitable and appropriate means of achieving vehicular access to the site.
k) Development should scope potential for and incorporate renewable energy, including investigation of District Heating opportunities (linking to the Odd Down District Heating Opportunity Area).	This consideration does not have a material bearing upon the location of the proposed allocation.
l) Educational needs generated by the development must be met; a primary school is to be provided on site, unless an alternative solution can be found and agreed with the Education Authority.	<p>There are a number of primary education establishments close to the land owned by the HFT. Discussions have taken place with the Education Authority regarding the requirements for additional primary school places. The Education Authority has agreed that the needs arising from a 300 dwelling development could be addressed through expansion of existing facilities in the locality and this requirement can therefore be addressed adequately within the locality of the site.</p> <p>The only impact of this in relation to the proposed allocation is the scale of the land area required. It has been assumed, for the purposes of the proposed 300 dwelling allocation, that the primary school provision will be achieved through expansion of facilities off site. If this were subsequently not to be accepted by the Education Authority, additional land would need to be released from the Green Belt to accommodate this requirement.</p>
m) Provide integrated waste management infrastructure.	Integrated waste management infrastructure could be incorporated into the detailed

Policy B3A Planning Requirements	Response
	<p>application proposals and the policy requirements can therefore be achieved through the appropriate wording of the policy criteria.</p>
<p>n) Ensure any areas of land instability are either avoided or addressed.</p>	<p>The ‘Slope, Geological Instability and Undermining Study’ undertaken by Arup on behalf of the Council in 2010 identifies the extent of mining activity at Odd Down on Figures 18 and 19. The Study demonstrates that the western extent of the land owned by the HFT (referenced as West 2 in the LUC Report of September 2013) is potentially constrained by former mining activity.</p> <p>These conclusions are interpreted into Figure 26 which highlights the areas of greatest constraint and those suitable for development. This figure demonstrates that the two fields immediately to the west of Sulis Manor and the majority of the land to the east are suitable for development, albeit with engineering works in places.</p> <p>The only area of land identified as not suitable for development without extensive remediation is immediately to the east of the Sulis Meadows development. This area has nevertheless been included within the proposed allocation on the basis that the constraints can be addressed through the masterplanning process.</p>

Deliverability of development

A planning consideration which is not included in the specific requirements of Policy B3A but which is nevertheless of fundamental importance to the Core Strategy and its ability to demonstrate a five-year housing land supply, is deliverability of key sites such as the land at Odd Down. Deliverability has a number of facets. In order to be deliverable, the construction of the proposed development within the allocation must not be constrained

by insurmountable technical, environmental, legal or ownership considerations which would prohibit its development.

Technical and Environmental Considerations

The environmental deliverability of the site has, to a large extent, been addressed in the preceding assessment of environmental considerations. These considerations have been assessed cumulatively to determine the most appropriate extent of the proposed allocation. There are no environmental considerations which indicate that the site is either undeliverable or that it cannot be brought forward to achieve the required scale of housing delivery within the first five years of the plan period. In particular it is important to note the following:

- Ecological survey and assessment will often have significant lead in times especially where potential sensitivity to SAC sites or priority species is involved. A fully scoped ecological assessment has been undertaken of the whole plateau this year and so this survey data can be used to support this allocation and give greater confidence towards delivery of this site in the timescale anticipated in the SHLAA.

The ecological assessment identified the requirement for mitigation to address the impact upon the skylark population. The mitigation requires the adoption of alternative farming practices on land elsewhere within the HFT ownership. The HFT are fully aware of this requirement and committed to its implementation in advance of the disturbance through the construction process in 2015. The ecological mitigation has therefore been thoroughly assessed and is capable of being implemented in time for the proposed commencement of development in 2015.

- All of the land falls within Flood Zone 1 and hence there are no flooding constraints which will impact upon either the principle of development or the extent of the developable area.
- The ground within all of the land at Odd Down is highly permeable (Greater Oolite). This was confirmed in the 'Slope, Geological Instability and Undermining Study Report by Arup in 2010. The land is therefore suitable for a sustainable urban drainage system.
- Wessex Water report capacity in local foul sewerage system for up to 100 dwellings, assuming full separation of storm water to soakaways. Thereafter, on line capacity is required to be provided. This can be addressed through the planning application and will be resolved with Wessex Water.

- There are no utilities constraints to the deliverability of the development. There is:
 - a 33kv main crossing the site and a large transformer already situated at farm buildings. There is substantial capacity on the electricity network at present;
 - a water main in the road at Cross Keys and also in Sulis Meadows;
 - a gas main control valves at Cross Keys Junction and at Sulis Meadows
 - a telephone / broadband main box at Cross Keys Junction.

Provision of necessary services of adequate capacity can lead to delays in the deliverability of a strategic housing site. However, in this instance all of the services and facilities are in place to commence development.

Legal and Ownership Considerations

The HFT can say with full confidence that the area of land identified as the preferred location for 300 dwellings is deliverable and is not fettered by any legal or ownership constraints. All of the land required to deliver the development is within the freehold ownership of the HFT and there are no legal restrictions or covenants preventing or limiting the ability of the landowner to deliver the proposed development.

Furthermore, the necessary infrastructure required to support the scale of development proposed can be secured as part of the development proposals. For example, the main access road proposed is on land within the HFT ownership and the secondary, emergency access also falls within the land controlled by the HFT.

There are also no uses on the land which require relocation prior to the commencement of development. The land owned by Odd Down Football Club to the west of the Sulis Manor does not share this benefit. In order to release this area of land for development, alternative provision would need to be made in the locality.

Market Delivery

The B&NES housing trajectory (April 2013) envisages housing delivery at Odd Down during the period 2015-2023. This assumed delivery rate is considered to be entirely realistic and consistent with the HFT planning and delivery program for the site. An outline program with the key dates is provided in the table below.

Stage	Timescale
Core Strategy Examination Hearings	Winter 2013/14
Planning Application submitted	Late Spring / Early Summer 2014
Core Strategy Inspector's Report	Summer 2014
Planning Application determined	Late Summer 2014
Reserved Matters Submission	Late Summer 2014
Reserved Matters Approval	Autumn 2014
Completion of Infrastructure and Enabling Works	Autumn 2015
Completion of First Dwelling	Winter 2015
Completions in 2015/16 – 20 dwellings	2015/16
Delivery @ 60 dwellings per annum	2016/17 – 2019/20
Completion of Development	2020/21

The program envisages the submission of a planning application in late Spring / early Summer 2014. This will facilitate determination in late Summer 2014, following the receipt of the Core Strategy Inspector's Report.

A Reserved Matters Application will be prepared in parallel for the first phase of the development and submitted shortly after the grant of the Outline Planning Permission. An extremely cautious estimate of one calendar year has been assumed between Reserved Matters Approval and the commencement of housing delivery for the completion of initial infrastructure and enabling works.

The first dwellings will be completed and sold in Winter 2015, following which it is estimated that a delivery rate of 60 dwellings per annum can be achieved. This is in excess of the assumed to 50 dwellings per annum rate within the Council's current Housing Trajectory (April 2013) however it is considered to be a reasonable position given the location of the site and current market conditions.

The assumptions that have been applied to the delivery program will result in the construction of 200 dwellings in the first five years of the plan period and a further 100 dwellings in the subsequent two years.

In summary, the area identified through the assessment process has had due regards to the need to ensure deliverability of the allocation in time to provide housing as required by the Council's to achieve, if not marginally exceed, the Housing Trajectory.

4. Stage Two – Proposed Changes to the Green Belt

The allocation of land at Odd Down will require the removal of land from the Green Belt. Whilst the land allocation and removal of land from the Green Belt are intrinsically linked, the policy context for Green Belt requires a different approach to the re-definition of the Green Belt boundary than to the area of land identified for the allocation.

The NPPF provides guidance on Green Belt and the approach that Councils should adopt if reviewing Green Belt boundaries. The provisions of paragraphs 83-85 are particularly relevant:

83. *Local planning authorities with Green Belts in their area should establish Green Belt boundaries in their Local Plans which set the framework for Green Belt and settlement policy. Once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. At that time, authorities should consider the Green Belt boundaries having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period.*
84. *When drawing up or reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development. They should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary.*
85. *When defining boundaries, local planning authorities should:*
 - *ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;*
 - *not include land which it is unnecessary to keep permanently open;*
 - *where necessary, identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;*

- *make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development;*
- *satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period; and*
- *define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.* [our emphasis]

Emphasis has been applied to the elements of the NPPF which are considered to be particularly relevant to the land at Odd Down. In summary, the NPPF requires Green Belt boundaries which:

1. are based on clearly defined physical features; and
2. will endure beyond the plan period by identifying 'safeguarded land' where appropriate.

Regarding the former, the proposed changes to the boundary of the Green Belt have been identified in line with the requirements of the NPPF. They follow the most appropriate, closely related and clearly defined physical features in the environment.

With regards the latter, the permanence of changes to the Green Belt boundaries in our view requires a longer term consideration of the appropriate locations for growth. Once the proposed urban extensions to Bath, the MOD sites and urban capacity assumed by the Council have all come forward within the Plan period, then there will be very little if any identifiable land supply to meet the needs beyond the current plan period.

Notwithstanding the strong case for an increase in the housing requirement in the current plan (made through representations by the HFT and others), it is inconceivable that further changes to the extent of the Green Belt will not be required in the future.

It is the view of the HFT that, in accordance with the NPPF, in principle a wider area of land should be removed from the Green Belt now even if the Inspector were to support the allocation of 300 dwellings at Odd Down.

This Report deals solely with changes to the Green Belt boundary which are necessary to accommodate a development of 300 dwellings. The case for wider development on adjacent land will be made in separate representations by the HFT during the formal consultation process. Notwithstanding this Report, the HFT firmly believe that



development across the wider area is suitable and deliverable and that the Green Belt boundary should therefore be moved further than is required to accommodate the proposed allocation.

5. Recommended Allocation and Green Belt Boundary

The Allocation Plan in Section 5 outlines the gross area of land considered suitable for the allocation of 300 dwellings. It also highlights the strategic landscaping which has already been put in place, the 'extent of set back area to be confirmed', the employment allocation and the proposed revision to the Green Belt boundary.

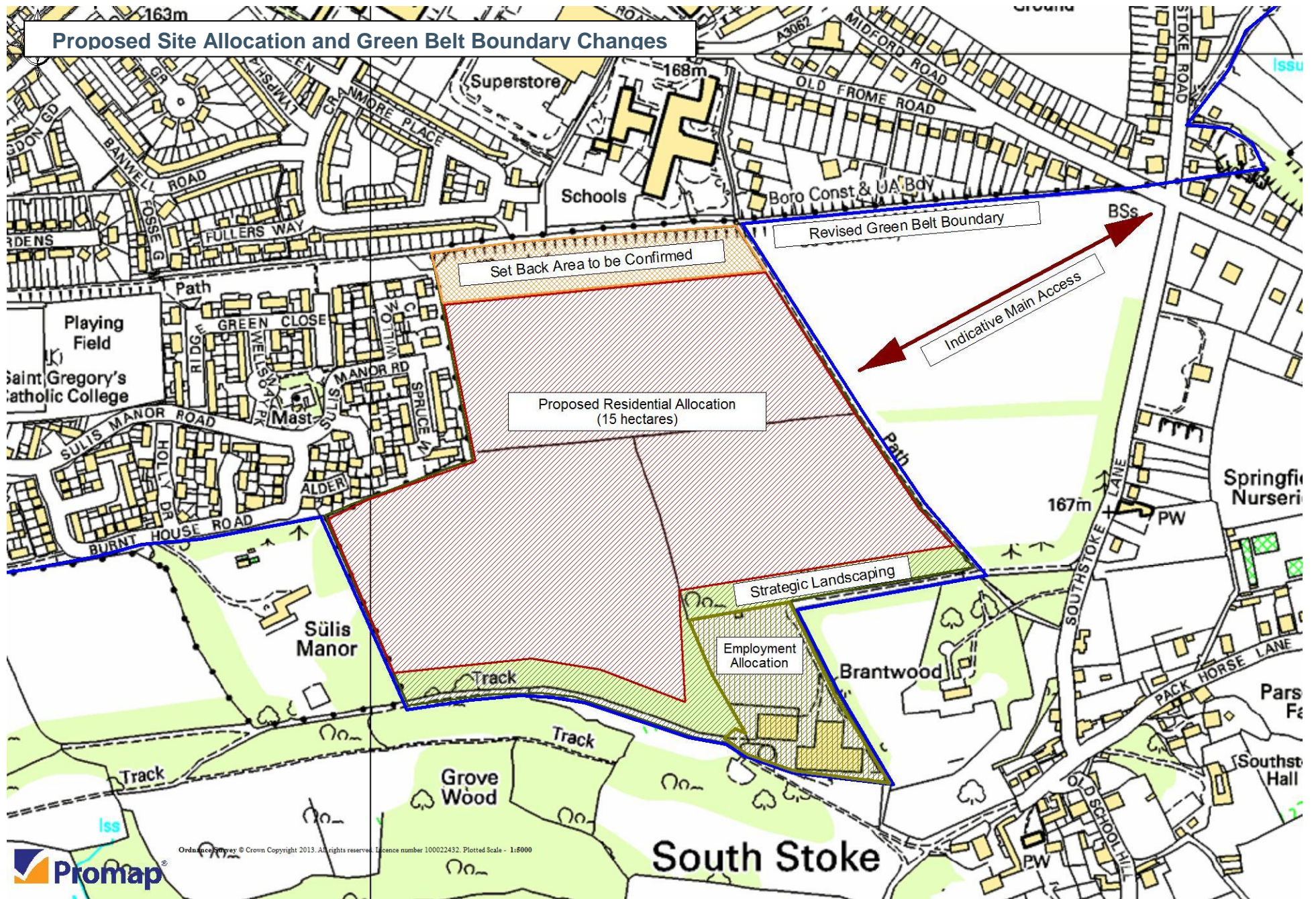
There are a number of considerations which are important in understanding the scale and location of the proposed allocation on the plan:

- i. The proposed residential allocation represents the gross area of the site, including all green infrastructure, open space and highways. The size of the allocation is deliberately cautious in order to provide a degree flexibility to allow for detailed design requirements, such as the set back area from the Wansdyke, to be agreed through the planning application process. This is considered particularly appropriate in this instance given the need to make changes to the boundary of the Green Belt.
- ii. The area hatched in orange and annotated as 'extent of set back area to be confirmed' shows a set back area of approximately 50m in width. It is proposed that this area should be incorporated into the allocation and that its width would be defined through the masterplanning process associated with the outline planning application. The impact on the Wansdyke will be affected by both the width of the set back and, as important if not more so, the response of the masterplanning to its setting. Detailed discussions will take place between the HFT and the Council and English Heritage through the masterplanning process to ensure an appropriate response.
- iii. The area selected for allocation excludes the land adjacent to South Stoke Lane and around the Cross Keys Public House. There is a difference of professional opinion about the sensitivities of this land in terms of its landscape and historic significance. It is our view that the scale of set back proposed from the Cross Keys Public House and South Stoke Lane is greater than required to protect the landscape and historic interests. However, the exclusion of the two eastern most fields in their entirety addresses the Council's more conservative assessment of impact.

- iv. The proposed allocation focuses development solely on the land to the east of Sulis Manor. Whilst two fields immediately to the west of Sulis Manor are considered appropriate for development and are available and deliverable, these alone are not sufficient to accommodate the required 300 dwellings and associated infrastructure. The football club site and the western most field are more constrained and are not at this stage deliverable. In addition, the football club is not within the current Green Belt, and thus technically falls outside the terms of reference of this report. The proposed allocation is therefore located on land to the east of Sulis Manor.
- v. The ecological assessment of the site undertaken by Kestrel concludes that there are no ecological constraints across any of the land within the ownership of the HFT which cannot be adequately mitigated. Notwithstanding, the land to the east of Sulis Manor is less sensitive than the land to the west and the impact can be adequately mitigated without impacts upon the delivery program.
- vi. The proposed revision to the Green Belt boundary follows clearly defined physical features, including the access road to the large farm buildings within the employment allocation and the field boundary along the 'path' and the western extent of the grounds around Sulis Manor. This is considered to be a strong defensible boundary which accords with the requirements of the NPPF. However, for the reasons provided in the preceding section of this Report we consider a wider release of land from the Green Belt is appropriate and justified.
- vii. The proposed employment element in this allocation is focused towards the existing Manor Farm buildings. There is already a critical mass of employment in this location (85 jobs) and there is a clear logic to linking the two areas and extending this use to remaining farm buildings as opposed to identifying additional Green Belt land. Furthermore, the revised access will reduce traffic in South Stoke Lane.
- viii. The proposed access Road from the Midford Road / South Stoke Lane junction has been included on the Proposed Site Allocation Plan. It is not envisaged that this area of land will be removed from the Green Belt and that that road will instead pass through the Green Belt. The road would not in our view impact upon the openness of the Green Belt and there is therefore no express need to change the boundary to exclude the proposed access road from the Green Belt.

- ix. An area of the proposed allocation is identified in the 'Slope, Geological Instability and Undermining Study' (undertaken by Arup on behalf of the Council in 2010) as not suitable for development without extensive remediation. Despite the findings of the Report it is considered appropriate to include this area within the allocation. There are two reasons for this. Firstly, the Arup study provides a high level overview of the constraints on development. Further detailed assessment of this area may provide an alternative conclusion and define in greater detail the extent of the area which is not suitable for development. Secondly, the allocation will include undeveloped areas including formal and informal open space. Should this part of the site not be economically viable for development, this would therefore be addressed in the masterplanning of the site and the land use defined accordingly.

Proposed Site Allocation and Green Belt Boundary Changes



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South Stoke

6. Conclusion

This Report draws together the evidence relating to the land at Odd Down and interprets this into both a proposed allocation and a corresponding change to the Green Belt boundary. The scale and extent of the proposed allocation are fully justified and consistent with the evidence and provisions of the NPPF. Furthermore, the identified land is not only considered to be the most appropriate interpretation of the evidence base but also represents a deliverable site which can meet housing needs in the short term and contribute towards the Council's five-year housing land supply.

For the reasons explained within this Report we strongly endorse the proposed area for allocation within the Core Strategy. Notwithstanding, the HFT firmly believe that the land at Odd Down is suitable for a larger allocation and will be promoting this through subsequent representations to the emerging Core Strategy.

From: Richard Daone <Richard_Daone@BATHNES.GOV.UK>
Subject: **Core Strategy - Proposed Meeting**
Date: 27 September 2013 08:57:50 GMT+01:00
To: "Charles Hignett (charles.hignett@sulisdown.com)" <charles.hignett@sulisdown.com>, 'Matthew Macan' <matthew.macan@me.com>
Cc: Simon De Beer <Simon_DeBeer@BATHNES.GOV.UK>, Cleo Newcombe-Jones <Cleo_Newcombe-Jones@BATHNES.GOV.UK>

Charles/Matthew

In light of the Examination hearing session on 17th September and the Inspector's note ID/39 and ID/40 I think it would be useful to meet to discuss the next stages in the Core Strategy and the work the Council and yourselves are taking forward.

The meeting would be attended me, Simon De Beer and Cleo Newcombe-Jones. Please could you let me know if you would be available to meet at our offices in Bath on any of the dates below:

3/10; 10/10; 11/10 or 14/10.

Regards

Richard Daone

Team Leader - Planning Policy

Bath & North East Somerset Council

Tel. 01225 477546

Email: Richard_daone@bathnes.gov.uk

Planning Services, PO Box 5006, BATH, BA1 1JG

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From: Richard Daone <Richard_Daone@BATHNES.GOV.UK>
Subject: RE: Core Strategy - Proposed Meeting
Date: 27 September 2013 14:56:47 GMT+01:00
To: 'Charles Hignett' <charles.hignett@sulisdown.com>, 'Matthew Macan' <matthew.macan@me.com>
Cc: Simon De Beer <Simon_DeBeer@BATHNES.GOV.UK>, Cleo Newcombe-Jones <Cleo_Newcombe-Jones@BATHNES.GOV.UK>

Charles

Thank you for your reply. I confirm the meeting will take place on 11th October at 10.30 a.m. in our offices at Lewis House, Manvers Street, Bath. An agenda will be sent out in good time before the meeting.

Regards
Richard Daone
Team Leader - Planning Policy
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Tel. 01225 477546
Email: Richard_daone@bathnes.gov.uk

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From: Charles Hignett [mailto:charles.hignett@sulisdown.com]
Sent: 27 September 2013 12:49
To: Richard Daone; 'Matthew Macan'
Cc: Simon De Beer; Cleo Newcombe-Jones
Subject: Re: Core Strategy - Proposed Meeting

Good afternoon Richard,

We would be pleased to meet with you on Friday 11th October from 10.30 onwards to discuss the way forward in the light of the Inspector's latest notes.

It would be very helpful to have an Agenda for the meeting so that we can bring along our advisors as needed.

I will look forward to hearing from you,

With best wishes,

Yours,

Charles.

From: Richard Daone <Richard_Daone@BATHNES.GOV.UK>
Date: Friday, 27 September 2013 08:57
To: Charles Hignett <charles.hignett@sulisdown.com>, 'Matthew Macan' <matthew.macan@me.com>
Cc: Simon De Beer <Simon_DeBeer@BATHNES.GOV.UK>, Cleo Newcombe-Jones <Cleo_Newcombe-Jones@BATHNES.GOV.UK>
Subject: Core Strategy - Proposed Meeting

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From: Richard Daone <Richard_Daone@BATHNES.GOV.UK>
Subject: **RE: Core Strategy - Proposed Meeting**
Date: 4 October 2013 11:34:37 GMT+01:00
To: 'Charles Hignett' <charles.hignett@sulisdown.com>, 'Matthew Macan' <matthew.macan@me.com>
Cc: Simon De Beer <Simon_DeBeer@BATHNES.GOV.UK>, Cleo Newcombe-Jones <Cleo_Newcombe-Jones@BATHNES.GOV.UK>

Charles/Matthew

With apologies for the delay please find below an agenda for our meeting next week:

1. Core Strategy Examination – next steps
2. Potential Strategic Site Allocation – Council and Hignett Family evidence
3. Key issues to be addressed e.g. environmental impact (heritage assets); infrastructure requirements (including transport/education/GI); HRA
4. Land ownership/assembly
5. Development delivery programme

We look forward to seeing you on 11th at 10.30 a.m.

Regards
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Email: Richard_daone@bathnes.gov.uk

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From: Charles Hignett [mailto:charles.hignett@sulisdown.com]
Sent: 27 September 2013 15:51
To: Richard Daone; 'Matthew Macan'
Cc: Simon De Beer; Cleo Newcombe-Jones
Subject: Re: Core Strategy - Proposed Meeting

Richard,

The Agenda early next week will be much appreciated if possible.

Yours,

Charles.

From: Richard Daone <Richard_Daone@BATHNES.GOV.UK>
Date: Friday, 27 September 2013 14:56
To: Charles Hignett <charles.hignett@sulisdown.com>, 'Matthew Macan' <matthew.macan@me.com>
Cc: Simon De Beer <Simon_DeBeer@BATHNES.GOV.UK>, Cleo Newcombe-Jones <Cleo_Newcombe-Jones@BATHNES.GOV.UK>
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Date: Friday, 27 September 2013 08:57
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Cc: Simon De Beer <Simon_DeBeer@BATHNES.GOV.UK>, Cleo Newcombe-Jones <Cleo_Newcombe-Jones@BATHNES.GOV.UK>
Subject: Core Strategy - Proposed Meeting

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below:
3/10; 10/10; 11/10 or 14/10.

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Email: Richard_daone@bathnes.gov.uk

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From: Matthew Macan <matthew.macan@me.com>
Subject: **Re: Core Strategy - Proposed Allocation at land Adjoining Odd Down**
Date: 21 October 2013 09:59:10 GMT+01:00
To: Richard Daone <Richard_Daone@BATHNES.GOV.UK>
Cc: Charles Hignett <charles.hignett@sulisdown.com>, Simon De Beer <Simon_DeBeer@BATHNES.GOV.UK>, Cleo Newcombe-Jones <Cleo_Newcombe-Jones@BATHNES.GOV.UK>



Dear Richard and Simon

further to our meeting at your offices on the 11th and our subsequent telephone conversations last week, i am writing to confirm our understanding of the process that the Council is undertaking regarding the proposed allocation of land at Odd Down.

The agenda items at the meeting(see below), provided a helpful clarification about what tasks are required to support this allocation process.

Given that the Council intend to publish its proposed allocations for formal consultation on the 11th November, this is a tight but realistic timescale to achieve engagement with the landowner. This engagement, as sought by the Inspector through ID/39 and ID/40, will only be worthwhile so long as there is a clear understanding about what evidence is material to the decision process regarding an allocation policy and a proposals plan, in order to deliver Policy B3A, about 300 homes on land adjoining Odd Down.

Having reflected on the key issues to be addressed (item 3) and given that the HFT intend in 2014, to submit a planning application for 300 homes in accordance with Policy B3A, we have been assembling a significant quantity of relevant evidence that is pertinent to the allocation process, which we would like to share with the Council.

In assembling this evidence, which includes key assessment of heritage assets, we propose to follow planning requirements a - n as set out in Policy B3A. I trust that the Council agree that this is the correct approach? It would be helpful if you would confirm this in writing, as HFT are expending a considerable amount of resources in assembling this evidence and wish to give clear instructions to our advisors? It is our intention to provide this evidence around the 29-30th October, although individual reports may be circulated to you, earlier than this. Please confirm that this timetable is satisfactory?

Landownership /assembly issues, (item 4) so far as they are material to the deliverability of an allocated site, shall be addressed in our submission to you.

The development delivery programme (item 5) will be clarified in our submission to you, however we shall make assumptions over the outcome of an early planning application, to be made in 2014, referred to above. Realistically, ecological evidence which we have collected over the last 8 months will have a "limited shelf life" when it comes to HRA. The success of this application will clearly have a bearing on the Five Year Housing Supply, which is critical in Banes. It will also co-incide with long held plans to expand local employment provision within Manor Farm farm buildings in 2015, through a further planning application. It makes considerable sense to address these matters at the same time.

Finally, you expressed concern that our overall strategy, to argue for a larger development on the plateau than proposed by the Council, means that we were not seriously engaging in the Council's allocation process for 300 new homes.

Nothing could be further from the truth. The decision regarding the scale of development at Odd Down will have significant bearing on the scale of any alterations to the Green Belt and therefore will be a matter for the Core Strategy Inspector having regard to all the evidence. We do not know the outcome of those deliberations, including any Main Modifications and we are unlikely to see an adopted Core Strategy until the autumn 2014, at the earliest. I say this, as any reporting from the Inspector following the close of the hearings, will be followed by another round of public consultation of the Council's allocation proposals, indeed this may precede the Inspectors Report.

A planning application for 300 new homes at Odd Down will be before the Council at that time. Therefore, we are very serious about ensuring that any site allocation for 300 homes on the plateau is determined on the most up-to-date evidence, demonstrating that it is the best location having regard to balancing all the planning requirements which are set out in Policy B3A. Further, that it is capable of standing on its own merits, without prejudicing any other planning matters or the outcome of the emerging Core Strategy and finally and most importantly, that the site is deliverable (as defined in sub-clause 11 para 46 NPPF).

Without adequately demonstrating this last matter, the contribution from this site to meeting the Council's Five Year Supply could be seriously undermined.

Therefore we welcome this process of engagement and confirm our serious intention to support the Council by providing relevant evidence to achieve this.

Yours sincerely

Matthew
On 4 Oct 2013, at 11:34, Richard Daone wrote:

Charles/Matthew

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Regards
Richard Daone
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Tel. 01225 477546
Email: Richard_daone@bathnes.gov.uk

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Sent: 27 September 2013 15:51
To: Richard Daone; 'Matthew Macan'
Cc: Simon De Beer; Cleo Newcombe-Jones
Subject: Re: Core Strategy - Proposed Meeting

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Yours,

Charles.

From: Richard Daone <Richard_Daone@BATHNES.GOV.UK>
Date: Friday, 27 September 2013 14:56
To: Charles Hignett <charles.hignett@sulisdown.com>, 'Matthew Macan' <matthew.macan@me.com>
Cc: Simon De Beer <Simon_DeBeer@BATHNES.GOV.UK>, Cleo Newcombe-Jones <Cleo_Newcombe-Jones@BATHNES.GOV.UK>
Subject: RE: Core Strategy - Proposed Meeting

Charles

Thank you for your reply. I confirm the meeting will take place on 11th October at 10.30 a.m. in our offices at Lewis House, Manvers Street, Bath. An agenda will be sent out in good time before the meeting.

Regards
Richard Daone
Team Leader - Planning Policy
Bath & North East Somerset Council
Tel. 01225 477546
Email: Richard_daone@bathnes.gov.uk

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From: Charles Hignett [<mailto:charles.hignett@sulisdown.com>]
Sent: 27 September 2013 12:49
To: Richard Daone; 'Matthew Macan'
Cc: Simon De Beer; Cleo Newcombe-Jones
Subject: Re: Core Strategy - Proposed Meeting

Good afternoon Richard,

We would be pleased to meet with you on Friday 11th October from 10.30 onwards to discuss the way forward in the light of the Inspector's latest notes.

It would be very helpful to have an Agenda for the meeting so that we can bring along our advisors as needed.

I will look forward to hearing from you,

With best wishes,

Yours,

Charles.

From: Richard Daone <Richard_Daone@BATHNES.GOV.UK>
Date: Friday, 27 September 2013 08:57
To: Charles Hignett <charles.hignett@sulisdown.com>, 'Matthew Macan' <matthew.macan@me.com>
Cc: Simon De Beer <Simon_DeBeer@BATHNES.GOV.UK>, Cleo Newcombe-Jones <Cleo_Newcombe-Jones@BATHNES.GOV.UK>
Subject: Core Strategy - Proposed Meeting

Charles/Matthew

In light of the Examination hearing session on 17th September and the Inspector's note ID/39 and ID/40 I think it would be useful to meet to discuss the next stages in the Core Strategy and the work the Council and yourselves are taking forward.

The meeting would be attended me, Simon De Beer and Cleo Newcombe-Jones. Please could you let me know if you would be available to meet at our offices in Bath on any of the dates below:
3/10; 10/10; 11/10 or 14/10.

Regards
Richard Daone
Team Leader - Planning Policy
Bath & North East Somerset Council
Tel. 01225 477546
Email: Richard_daone@bathnes.gov.uk

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From: Richard Daone <Richard_Daone@BATHNES.GOV.UK>
Subject: **RE: Core Strategy - Proposed Allocation at land Adjoining Odd Down**
Date: 24 October 2013 14:38:10 GMT+01:00
To: "Matthew Macan (matthew.macan@me.com)" <matthew.macan@me.com>
Cc: "Charles Hignett (charles.hignett@sulisdown.com)" <charles.hignett@sulisdown.com>

Dear Matthew

Thank you for your email and for confirmation that you are engaging in the process of site allocation through submission to the Council of some specific elements of evidence. I appreciate your engagement in this process and confirm the Council will consider the new evidence you submit. However, we reserve the right to draw our own conclusions from it.

I can confirm that the further evidence you are preparing should be responding to the planning requirements as currently set out in Policy B3A. However, it should be noted that, whilst the broad scope will remain the same, through the process of site allocation and in response to issues raised by the Inspector the wording of some of these requirements is likely to be amended. It is worth noting that in addition the other Core Strategy Core Policies should also be taken into account as these are generally not repeated in the location specific policy wording.

In order to assist the Council in considering your submission it would be most useful if you could confirm the specific pieces of evidence that you will be able to submit to us by latest 30th October. Our understanding of the evidence you intend to submit is set out below, please confirm if there is anything additional. In order to facilitate our consideration of your evidence we will seek to set up meetings internally with key specialists, so it is important that we understand the scope of what you intend to submit as soon as possible. Please also note that receipt by the Council any later than 30th October will make it very difficult to properly consider the evidence as this is very close to our internal preparation deadline. Furthermore, if you are able to submit any of your new evidence before this date, as you suggest, then that would be much appreciated.

Following our meeting and recent correspondence our understanding of your new evidence is as follows:

- Heritage Asset Assessment – CGMS Additional work
- Latest Site delivery information
- Further transport evidence (including site access options?)
- Ecological evidence – latest survey work (I know Kestrel have been in communication with Karen on this)

In the final paragraph of your email you suggest that we expressed our concern that you are not seriously engaging in the Council's allocation process. That is not my recollection of what was said at the meeting and I would re-iterate the Council appreciates the co-operative approach that you are taking.

Regards
Richard Daone
Team Leader - Planning Policy
Bath & North East Somerset Council
Tel. 01225 477546
Email: Richard_daone@bathnes.gov.uk

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From: Matthew Macan [<mailto:matthew.macan@me.com>]
Sent: 21 October 2013 09:59
To: Richard Daone
Cc: Charles Hignett; Simon De Beer; Cleo Newcombe-Jones
Subject: Re: Core Strategy - Proposed Allocation at land Adjoining Odd Down

Dear Richard and Simon

further to our meeting at your offices on the 11th and our subsequent telephone conversations last week, i am writing to confirm our understanding of the process that the Council is undertaking regarding the proposed allocation of land at Odd Down.

The agenda items at the meeting(see below), provided a helpful clarification about what tasks are required to support this allocation process.

Given that the Council intend to publish its proposed allocations for formal consultation on the 11th November, this is a tight but realistic timescale to achieve engagement with the landowner. This engagement, as sought by the Inspector through ID/39 and ID/40, will only be worthwhile so long as there is a clear understanding about what evidence is material to the decision process regarding an allocation policy and a proposals plan, in order to deliver Policy B3A , about 300 homes on land adjoining Odd Down.

Having reflected on the key issues to be addressed (item 3) and given that the HFT intend in 2014, to submit a planning application for 300 homes in accordance with Policy B3A, we have been assembling a significant quantity of relevant evidence that is pertinent to the allocation process, which we would like to share with the Council.

In assembling this evidence, which includes key assessment of heritage assets, we propose to follow planning requirements a - n as set out in Policy B3A. I trust that the Council agree that this is the correct approach? It would be helpful if you would confirm this in writing, as HFT are expending a considerable amount of resources in assembling this evidence and wish to give clear instructions to our advisors ?

It is our intention to provide this evidence around the 29-30th October, although individual reports may be circulated to you, earlier than this. Please confirm that this timetable is satisfactory?

Landownership /assembly issues, (item 4) so far as they are material to the deliverability of an allocated site, shall be addressed in our submission to you.

The development delivery programme (item 5) will be clarified in our submission to you, however we shall make assumptions over the outcome of an early planning application, to be made in 2014, referred to above. Realistically, ecological evidence which we have collected over the last 8 months will have a "limited shelf life" when it comes to HRA.

The success of this application will clearly have a bearing on the Five Year Housing Supply, which is critical in Banes. It will also co-incide with long held plans to expand local employment provision within Manor Farm farm buildings in 2015, through a further planning application. It makes considerable sense to address these matters at the same time.

Finally,you expressed concern that our overall strategy, to argue for a larger development on the plateau than proposed by the Council, means that we were not seriously engaging in the Council's allocation process for 300 new homes.

Nothing could be further from the truth. The decision regarding the scale of development at Odd Down will have significant bearing on the scale of any alterations to the Green Belt and therefore will be a matter for the Core Strategy Inspector having regard to all the evidence. We do not know the outcome of those deliberations, including any Main Modifications and we are unlikely to see an adopted Core Strategy until the autumn 2014, at the earliest. I say this, as any reporting from the Inspector following the close of the hearings, will be followed by another round of public consultation of the Council's allocation proposals, indeed this may precede the Inspectors Report.

A planning application for 300 new homes at Odd Down will be before the Council at that time. Therefore, we are very serious about ensuring that any site allocation for 300 homes on the plateau is determined on the most up-to- date evidence, demonstrating that it is the best location having regard to balancing all the planning requirements which are set out in Policy B3A. Further, that it is capable of standing on its own merits, without prejudicing any other planning matters or the outcome of the emerging Core Strategy and finally and most importantly, that the site is deliverable (as defined in sub-clause 11 para 46 NPPF).

Without adequately demonstrating this last matter, the contribution from this site to meeting the Council's Five Year Supply could be seriously undermined.

Therefore we welcome this process of engagement and confirm our serious intention to support the Council by providing relevant evidence to achieve this.

Yours sincerely

Matthew
On 4 Oct 2013, at 11:34, Richard Daone wrote:

Charles/Matthew
With apologies for the delay please find below an agenda for our meeting next week:

1. Core Strategy Examination – next steps
2. Potential Strategic Site Allocation – Council and Hignett Family evidence
3. Key issues to be addressed e.g. environmental impact (heritage assets); infrastructure requirements (including transport/education/GI); HRA
4. Land ownership/assembly
5. Development delivery programme

We look forward to seeing you on 11th at 10.30 a.m.

Regards
Richard Daone
Team Leader - Planning Policy
Bath & North East Somerset Council
Tel. 01225 477546
Email: Richard_daone@bathnes.gov.uk

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From: Charles Hignett [<mailto:charles.hignett@sulisdown.com>]
Sent: 27 September 2013 15:51
To: Richard Daone; 'Matthew Macan'
Cc: Simon De Beer; Cleo Newcombe-Jones
Subject: Re: Core Strategy - Proposed Meeting

Richard,

The Agenda early next week will be much appreciated if possible.

Yours,

Charles.

From: Richard Daone <Richard_Daone@BATHNES.GOV.UK>
Date: Friday, 27 September 2013 14:56
To: Charles Hignett <charles.hignett@sulisdown.com>, 'Matthew Macan' <matthew.macan@me.com>
Cc: Simon De Beer <Simon_DeBeer@BATHNES.GOV.UK>, Cleo Newcombe-Jones <Cleo_Newcombe-Jones@BATHNES.GOV.UK>
Subject: RE: Core Strategy - Proposed Meeting

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From: Charles Hignett [<mailto:charles.hignett@sulisdown.com>]
Sent: 27 September 2013 12:49
To: Richard Daone; 'Matthew Macan'
Cc: Simon De Beer; Cleo Newcombe-Jones
Subject: Re: Core Strategy - Proposed Meeting

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Date: Friday, 27 September 2013 08:57
To: Charles Hignett <charles.hignett@sulisdown.com>, 'Matthew Macan' <matthew.macan@me.com>
Cc: Simon De Beer <Simon_DeBeer@BATHNES.GOV.UK>, Cleo Newcombe-Jones <Cleo_Newcombe-Jones@BATHNES.GOV.UK>
Subject: Core Strategy - Proposed Meeting

Charles/Matthew

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Regards
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